

selectable rotary positions relative to and about a connecting axis 41 extending transversely to the longitudinal axis. The connecting piece 7 forms a fluid connection between the connecting block and the hydraulic pump outlet, and has an annular body attachable to the pump outlet. The annular body has a ring of holes 39 located along its periphery. The holes correspond to the rotary positions by engagement of mounting screws within the holes and extending from the connecting block.

Claim 13 covers a hydro damper for attenuation of pressure and/or acoustic oscillations in fluid pressure systems. The hydro damper comprises a damper housing 1, a connecting block 5, and a pump connecting piece 7. The damper housing 1 has a leading dimension defining a longitudinal axis 3 of the damper housing. The connecting block 5 provides a fluid connection of the damper housing 1 to a fluid pressure system. The pump connecting piece 7 is coupled to the connecting block 5 and mounts the damper housing 1 on a hydraulic pump outlet of the system in selectable rotary positions relative to and about a connecting axis 41 extending transversely to the longitudinal axis. The connecting piece 7 forms a fluid connection between the connecting block 5 and the hydraulic pump outlet and has a circular and annular end flange 47 rotatable between the selectable rotary positions. Semi-annular, flange clamping jaws 49 are attachable by screws to the connecting parts of the pump outlet and fix the in flange 47 in one of the selectable rotary positions.

In this manner, claim 9 is directed to the embodiment of Fig. 2, while claim 13 is directed to the embodiment of Fig. 3. These claims are patentably distinguishable by the capability of being located in selectable rotary positions relative to and about a connecting axis extending

transversely to the longitudinal axis in combination with the ring of holes recited in claim 9 or the end flange and flange clamping jaws of claim 13.

Claims 9 and 10 stand rejected under 35 U.S.C. § 103 as being anticipated by U.S. Patent No. 4,273,158 to Chun. The Chun patent is cited as allegedly disclosing a damper housing 11, a connecting block (interpreted as a combination of casing 16 and fitting 20) mounted on an axial end and in fluid communication with the damper housing, and a pump connecting piece (not shown) coupled to the connecting block for mounting the damper housing to the outlet of a hydraulic pump. A plurality of holes is allegedly provided for connection of fitting 20 to an outlet connected to a pump. Allegedly selectable rotary positions can be obtained by aligning the allegedly inherently provided bolt holes and having the housing positioned in any desired angle with respect to the system based upon which holes are used in fitting on the not shown pump connecting piece to which fitting 20 may be connected. The connecting axis is allegedly at a right angle to the longitudinal axis of the damper housing where the attachment is ring of holes with mounting screws. The connecting block allegedly has an inner chamber formed in it with an outflow opening extending concentrically to the damper chamber longitudinal axis and connected to the input of the damper housing.

Claim 9 specifically requires a connecting block mounted on damper housing axial end and a pump connecting piece being coupled to the connecting block in selectable rotating positions. Additionally, the connecting piece has an annular body with a ring of holes located along its periphery, which holes correspond to the rotary positions by engagements with mounting screws extending from the connecting block.

Only two holes are shown in Chun fitting 20, which holes are not described in the specification. No disclosure is provided relative to the pump connecting piece to which it is attached. Particularly, no description is provided of a “ring of holes”, as claimed. The Chun disclosure of only two holes does not constitute the claimed ring of holes, and does not specifically or inherently provide rotary positions, particularly about an axis transverse to the longitudinal axis of the damper housing. More than two holes are required to provide the claimed ring of holes and allow the rotary positions. Nothing in the Chun patent discloses or suggests using more than two holes. Unfounded assumptions about the structure allegedly disclosed in the Chun patent do not provide adequate evidence to support the rejection.

Thus, the Chun patent does not anticipate or render obvious the subject matter of claim 9.

Claims 11 and 13 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Chun patent in view of the “background of the invention” in this application. The background of the invention is relied upon in connection with the prior use of hydraulic dampeners of the bladder-type and reflection-type. Additionally, a semi-annular clamping jaw is alleged to be admitted in the specification to be commonly used for outputs to connecting blocks for accumulator structures. In support of the rejection, it is alleged that it would be obvious to use a silencer and the allegedly known semi-annular flange clamping jaws in the Chun device, which is alleged to be angularly rotatably. Apparently, the rejection is based on the reference to the SAE standard J516 appearing in the first full paragraph of page 7 of the substitute specification.

However, as noted above, the Chun device does not disclose rotation between its fitting 20 and a mating pump connection piece (not shown) as would be required to meet the claim language. Thus, nothing suggests that the semi-annular flange is known in this environment.

Without any specific or inherent disclosure of such rotary connection in the Chun patent, no basis or reason exists to support the allegation that adding the semi-annular flange would be obvious.

Claims 12 and 18 are rejected as being unpatentable over the Chun patent in view of previously cited Publication No. US2003/0000588 to Kuykendall. The Kuykendall patent is cited for a silencing tube with holes. In support of the rejection, it is alleged that it would be obvious to add such tube to the Chun device.

Claims 10-12 being dependent upon claim 9 and claims 14-18 being dependent upon claim 13 are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents.

Claims 10 and 15 are further distinguished by the connecting block having an inner chamber 33 with an outflow opening extending concentrically to the longitudinal axis and connected to an input 11 of the damper housing, particularly with the claimed combinations.

Claims 11 and 17 are further distinguished by the fluid silencer recited therein. No motivation is provided that suggests it would be obvious or even possible to provide a silencing tube in the housing of the Chun patent, particularly in view of the specific construction thereof.

Claims 12 and 18 are further distinguished again by the fluid silencer for the same reasons advanced above relative to claims 11 and 17.

Claim 14 is further distinguished by the connecting piece being continuously adjustable between the selectable rotary positions. No continuous adjustment is disclosed or suggested by any of the cited patents.

Claim 16 is further distinguished by the connecting piece being a circular cylindrical hollow body extending concentrically to the connecting axis and into the inner chamber, forming

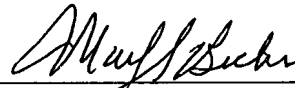
a fluid pipe and having a wall aperture concentric with the longitudinal damper housing axis.

Such structure is not shown to be disclosed or rendered obvious by any of the cited patents.

In view of the foregoing, claims 9-18 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,

Dated: June 5, 2007



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